

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

Case No. 08-CR-20669-4-DT

v.

HON. ROBERT H. CLELAND

CARLOS SOLER-NORONA

Defendant.

**ORDER GRANTING MOTION TO WITHDRAW
AS COUNSEL FOR DEFENDANT**

A hearing was held on February 24, 2010 on the “Motion to Withdraw as Counsel for the Defendant” by attorney David Cripps. For the reasons stated on the record by counsel, the defendant and this court, the motion will be granted. However, as further discussed on the record, the court finds that the only reason Defendant cannot currently afford an attorney is because he first retained Mr. Cripps. The court further finds that the breakdown in the attorney client relationship is entirely due to Defendant’s behavior and his unreasonable insistence that he, rather than his attorney, should determine the strategy of his defense. Under these circumstances, the court is not persuaded that the public should bear the costs of paying for Defendant’s new attorney. While the court will appoint counsel, the court will require that Defendant reimburse the public for the costs of his representation. The court will determine the method and rate of reimbursement at sentencing. Therefore,

IT IS ORDERED that the motion to withdraw is **GRANTED** and the Federal Defender’s Office is directed to assign another attorney from the CJA Panel to be

appointed and substituted to represent Defendant.

Mr. Cripps is DIRECTED to tender to Defendant's new counsel copies of all relevant pleadings, correspondence, discovery, etc.

IT IS FURTHER ORDERED that Defendant shall reimburse the costs and fees associated with the appointment of counsel at a rate to be determined at sentencing.

Upon the filing of the appearance of new counsel, the court will schedule a status conference to set new dates.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 26, 2010 I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 26, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522